

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**6:17-10490 Dan Edward Harris and Lovie Dakota Harris**

**Chapter 7**

**#1.00**

Robertson, Anschutz, & Schneid, P.L. - movant attorney

Motion for Relief Stay

Deutsche Bank Trust Company Americas vs. DEBTORS  
(Motion filed 3/28/17)

Re: 817/819 Pinhook Drive, Nixa, Missouri 65714

Docket 18

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Dan Edward Harris

Represented By  
Nicholas M Wajda

**Joint Debtor(s):**

Lovie Dakota Harris

Represented By  
Nicholas M Wajda

**United States Bankruptcy Court  
Central District of California  
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9:00 AM

**CONT... Dan Edward Harris and Lovie Dakota Harris**

**Chapter 7**

**Movant(s):**

Deutsche Bank National Trust

Represented By  
April Harriott  
Sean C Ferry

**Trustee(s):**

Steven M Speier (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**6:17-10782 Desiree Aliece-Noelle Cross**

**Chapter 7**

**#2.00**

Cooksey, Toolen, Gage, Duffy & Woog - movant attorney

Motion for Relief from Stay

Gateway One Lending and Finance, LLC vs. DEBTOR  
(Motion filed 2/22/17)

Re: 2012 Kia Optima, VIN 5XXGR4A60CG044341

Docket 7

**Tentative Ruling:**

**APPEARANCES NOT REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

The order is binding and effective despite conversion of this bankruptcy case to a case under any other chapter of Title 11 of the U.S. Code.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Desiree Aliece-Noelle Cross

Represented By  
Michael G Spector

**United States Bankruptcy Court  
Central District of California  
Riverside  
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**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**CONT... Desiree Aliece-Noelle Cross**

**Chapter 7**

**Movant(s):**

Gateway One Lending & Finance,

Represented By  
Sheryl K Ith

**Trustee(s):**

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
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**Tuesday, May 02, 2017**

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9:00 AM

**6:17-11289 Nelson Scott**

**Chapter 7**

**#3.00**

Scheer Law Group, LLP - movant attorney

Motion for Relief from Stay

BMW Bank of North America vs. DEBTOR  
(Motion filed 4/6/17)

RE: 2006 BMW 530i; VIN: WBANE73596CM40343

Docket 19

**Tentative Ruling:**

**APPEARANCES NOT REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Nelson Scott

Represented By  
Paul Y Lee

**Movant(s):**

BMW Bank of North America

Represented By  
Zann R Welch

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**CONT...**

**Nelson Scott**

Timothy J Silverman

**Chapter 7**

**Trustee(s):**

Karl T Anderson (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**6:17-11829    Yousef I Badawiya**

**Chapter 7**

**#4.00**

Bret D. Allen, Esq. - movant attorney

Motion for Relief from Stay

Financial Services Vehicle Trust vs. DEBTOR  
(Motion filed 4/6/17)

Re: 2014 BMW 5 Series Sedan 4D 528i I4 Turbo

Docket      17

**Tentative Ruling:**

**APPEARANCES NOT REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Yousef I Badawiya

Represented By  
David T Egli

**Movant(s):**

Financial Services Vehicle Trust

Represented By  
Bret D. Allen

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
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9:00 AM

**CONT... Yousef I Badawiya**

**Chapter 7**

**Trustee(s):**

Todd A. Frealy (TR)

Pro Se



**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**6:17-12503 Gary Turner and Soyoung Turner**

**Chapter 7**

**#5.00**

The Law Office of Alec Harshey - movant attorney

Motion for Relief from Stay

Linh Horimoto and James Horimoto vs. DEBTORS  
(Motion filed 4/4/17)

Re: 28677 Bar Harbor Lane, Temecula, CA 92591

Docket 14

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (b)(22). A judgment against the debtor was entered in the unlawful detainer action prepetition. The granting of this motion will permit the movant to exercise its rights under state law with respect to the subject property.

The 14-day stay provided by Rule 4001(a)(3) is waived.

The request for termination of § 1301 co-debtor stay is denied because this case is in chapter 7.

Deny extraordinary relief under Boxes 3, 7 and 11.

If movant wishes to pursue bad faith allegations, the Court will set an evidentiary hearing.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Gary Turner

Represented By

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

9:00 AM

**CONT... Gary Turner and Soyoung Turner**

**Chapter 7**

Arlene M Tokarz

**Joint Debtor(s):**

Soyoung Turner

Represented By  
Arlene M Tokarz

**Movant(s):**

April E Roberts

Represented By  
April E Roberts

**Trustee(s):**

Larry D Simons (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:10-19729 Don Willis and Sharon M Willis**

**Chapter 11**

**#1.00**

Hrg. on Debtors' Motion filed 4/10/17 for Entry of Order 1) Discharging Debtors Pursuant To 11 U.S.C. §1141(d)(5)(A); and 2) Entering a Final Decree Closing Debtors Case

Docket 212

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

Grant the motion for discharge, enter final decree and close the case.

MOVANTS TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Don Willis

Represented By  
Link W Schrader

**Joint Debtor(s):**

Sharon M Willis

Represented By  
Link W Schrader

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:13-17103 John Fitch and Mary Fitch**

**Chapter 7**

**#2.00**

Hrg. on U.S. Trustee's Motion filed 4/10/17 to Extend Time to object to exemptions

Docket 34

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

Grant the motion.

UNITED STATES TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

John Fitch

Represented By  
Todd B Becker  
John F Brady

**Joint Debtor(s):**

Mary Fitch

Represented By  
Todd B Becker  
John F Brady

**Trustee(s):**

Howard B Grobstein (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
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**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:14-12690 Vista Consolidated, Inc.**

**Chapter 7**

**#3.00**

Hrg. on trustee's final report; applications for compensation

Docket 0

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$6,997.30 and expenses in the amount of \$201.26.

The compensation is approved as to the Trustee's attorney, with fees in the amount of \$32,385.00 and expenses in the amount of \$1,217.37.

The compensation is approved as to the Trustee's accountant, with fees in the amount of \$1,767.50.

**CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Vista Consolidated, Inc.

Represented By  
David Philipson

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**CONT... Vista Consolidated, Inc.**

**Chapter 7**

**Trustee(s):**

Robert Whitmore (TR)

Represented By  
Hydee J Riggs

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:16-13321 Javier H Aguiniga**

**Chapter 7**

**#4.00**

Hrg. on attorney for chapter 7 trustee application filed 4/11/17 for approval of for Interim Fees and/or Expenses 11 U. S. C. Section 331

EH\_\_\_\_\_

Docket 51

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

Grant the application and approve and allow on an interim basis:

Shulman Hodges & Bastian LLP fees: \$10,214.00

Shulman Hodges & Bastian LLP expenses: \$338.24

SHULMAN HODGES & BASTIAN LLP TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Javier H Aguiniga

Pro Se

**Trustee(s):**

Charles W Daff (TR)

Represented By  
Lynda T Bui  
Melissa Davis Lowe

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:16-14859 Desert Springs Financial LLC**

**Chapter 11**

**#5.00**

Hrg. on creditors, Yun Hei Shin and Ramon Palm Lane, Inc.'s Motion RE: Objection to Claim Number 9 by Claimant Murray Altman of Shin/RPL, Objecting to the \$244,875 Proof of Claim (#9 on DSF Claims Register), That Murray Altmans Filed in DSF Bankruptcy Case, On11/22/16

(Cont. fromn 2/7/17)

Docket 321

**\*\*\* VACATED \*\*\* REASON: Case Dismissed 3/8/17 - jc**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Desert Springs Financial LLC

Represented By  
M Wayne Tucker



**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room      225**

2:00 PM

**6:16-14859    Desert Springs Financial LLC**

**Chapter 11**

**#6.00**

Hrg. on Motion, of Shin/RPL, Objecting To, and Seeking Disallowance of  
Murray Altmans Self- Scheduled \$2,520,241 Claim for Indemnification,  
Scheduled in DSF Case as Not Disputed, Contingent or Unliquidate

(Cont. from 2/7/17)

Docket      223

**\*\*\* VACATED \*\*\*    REASON: Case Dismissed 3/8/17 - jc**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Desert Springs Financial LLC

Represented By  
M Wayne Tucker

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:16-17908 Raymond Charles Kolisz and Rose Mary Kolisz**

**Chapter 7**

**#7.00**

Hrg. on trustee's final report; applications for compensation

Docket 0

**Tentative Ruling:**

**APPEARANCES NOT REQUIRED.**

In a case under chapter 7 or 11, the court may allow reasonable compensation under § 330 to the trustee for the trustee's services, payable after the trustee renders such services, not to exceed 25% on the first \$5,000 or less, 10% on any amount in excess of \$5,000 but not in excess of \$50,000, 5% on any amount in excess of \$50,000 but not in excess of \$1,000,000, and reasonable compensation not to exceed 3% of such moneys in excess of \$1,000,000, upon all moneys disbursed or turned over in the case by the trustee to parties in interest, excluding the debtor, but including holders of secured claims. 11 U.S.C. § 326(a).

The Court finds that the Trustee's requested compensation meets the requirements of 11 U.S.C. § 326(a) and represents reasonable compensation for actual, necessary services rendered in the administration of this estate.

The compensation is approved as to the Trustee, with fees in the amount of \$2,030.91 and expenses in the amount of \$17.37.

CHAPTER 7 TRUSTEE TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Raymond Charles Kolisz

Represented By  
Robert L Firth

**Joint Debtor(s):**

Rose Mary Kolisz

Represented By  
Robert L Firth

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

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2:00 PM

**CONT... Raymond Charles Kolisz and Rose Mary Kolisz**

**Chapter 7**

**Trustee(s):**

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:16-20446 BioData Medical Laboratories, Inc.**

**Chapter 11**

**#8.00**

Hrg. on Debtor's Motion filed 4/18/17 for Adequate Protection And Related Relief Payments and Related Relief

Docket 233

**\*\*\* VACATED \*\*\* REASON: Stipulation/Order to continue to 6/20/17 at 2:00 p.m.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

BioData Medical Laboratories, Inc.

Represented By  
Robert M Yaspan  
Joseph N Darweesh

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:16-20446 BioData Medical Laboratories, Inc.**

**Chapter 11**

**#9.00**

Hrg. on Debtor's Emergency motion filed 11/29/16 For Authority To: (A) Use Cash Collateral On An Interim Basis Pending A Final Hearing; (B) Grant Replacement Liens; And (C) Set Final Hearing

(Cont'd from 2/7/2017)

Docket 16

**\*\*\* VACATED \*\*\* REASON: Stipulation/Order to continue to 6/20/17 at 2:00 p.m.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

BioData Medical Laboratories, Inc.

Represented By  
Robert M Yaspan

**United States Bankruptcy Court  
Central District of California  
Riverside  
Judge Mark Wallace, Presiding  
Courtroom 225 Calendar**

**Tuesday, May 02, 2017**

**Hearing Room 225**

2:00 PM

**6:16-14072 Noel S. Varela**

**Chapter 7**

**#10.00**

Hrg. on approval of Trustee's Motion filed 3/17/17 for approving the Sale of Real Property; Approving the payment of Broker's Commission

(Cont. from 4/18/17)

Docket 19

**Tentative Ruling:**

**APPEARANCES REQUIRED.**

The Court will inquire whether another buyer has been found.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

<b>Party Information</b>
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**Debtor(s):**

Noel S. Varela

Represented By  
Mona V Patel

**Trustee(s):**

Robert Whitmore (TR)

Pro Se